

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STEVEN DARBY MCDONALD,

Plaintiff,

v.

SARA KARIKO, et al.,

Defendant.

Case No. C19-1998-RSL-MAT

ORDER STRIKING MOTIONS FROM  
MOTION CALENDAR

This is a 42 U.S.C. § 1983 prisoner civil rights action. Currently pending before the Court are defendants' motion for summary judgment (Dkt. 58, re-noted to March 5, 2021 to allow plaintiff additional time to respond), plaintiff's motion for appointment of counsel (Dkt. 76, noted for January 22, 2021), plaintiff's second motion for preliminary injunction<sup>1</sup> (Dkt. 78, noted for January 22, 2021), plaintiff's motion to hold law librarian in contempt of court (Dkt. 93, noted for February 12, 2021), plaintiff's "motion/request for some time to have his appendix section returned" (Dkt. 94, noted for February 19, 2021), and plaintiff's "motion/request to comply with counsel's demand to produce" (Dkt. 96, noted for February 19, 2021).

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<sup>1</sup> The Court notes that plaintiff filed a prior motion for preliminary injunction which was recently denied. Dkt. 105. Plaintiff's second motion for preliminary injunction appears to raise similar issues and seek similar relief. Dkt. 78.

1 On January 27, 2021, Chief Judge Ricardo S. Martinez issued an order affirming the  
2 undersigned's order denying plaintiff's request that the undersigned voluntarily recuse herself in  
3 this matter. Dkt. 90. On February 10, 2021, plaintiff filed a notice of appeal of the Chief Judge's  
4 January 27, 2021, order. Dkt. 102. That appeal is currently pending before the United States Court  
5 of Appeals for the Ninth Circuit and it would be inappropriate for this Court to take any further  
6 action with respect to this case until plaintiff's appeal has been resolved.

7 Accordingly, this Court hereby ORDERS as follows:

8 (1) Defendants' motion for summary judgment (Dkt. 58), plaintiff's motion for  
9 appointment of counsel (Dkt. 76), plaintiff's second motion for preliminary injunction (Dkt. 78),  
10 plaintiff's motion to hold law librarian in contempt of court (Dkt. 93), plaintiff's "motion/request  
11 for some time to have his appendix section returned" (Dkt. 94), and plaintiff's "motion/request to  
12 comply with counsel's demand to produce" (Dkt. 96) are STRICKEN from the Court's motion  
13 calendar. The Court will re-note the motions for consideration once it has been notified by the  
14 Ninth Circuit that plaintiff's appeal has been resolved.

15 (2) The Clerk is directed to send copies of this order to the parties and to the Honorable  
16 Robert S. Lasnik.

17 Dated this 23rd day of February, 2021.

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20 Mary Alice Theiler  
21 United States Magistrate Judge  
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